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Dated: March 4, 2005

Signature:

Kathryn L. Nash
(Kathryn L. Nash)

Docket No.: 60680-1814
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Randall F. Alder et al.

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Application No.: 10/707,675

Confirmation No.: 1674

MAR 04 2005

Filed: December 31, 2003

Art Unit: 3679

For: HOSE AND TUBE ASSEMBLY

Examiner: Dunwoody, Aaron M.

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed February 14, 2005 (Paper No. 20050209), Applicants hereby provisionally elect Group I for continued examination, with traverse. Claims 12 – 19 are withdrawn without prejudice.

The Examiner has required restriction between the following species:

Group I, Figure 1;

Group II, Figure 2;

Group III, Figures 3 and 5; and

Group IV, Figure 4.

Based on review of the claims, Applicants elect Group I, with traverse. In view of the significant overlap between the claims of Groups I, II, and IV, and the presence of generic

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claims, namely claims 1 – 11, it is respectfully submitted that the Examiner will be required to search art related to the related groups as part of the analysis of the generic claims.

Moreover, it is respectfully submitted that the subject matter of the groups is sufficiently related that a thorough search for the subject matter of the species would encompass a search for the subject matter of the other species. See MPEP § 803, which states that “[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.” (*Emphasis added*). This policy should apply in the present application to avoid unnecessary delay and expense to the Applicants and duplicative examination by the Patent Office.

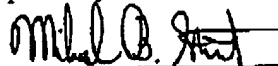
Upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to other species in addition to the elected specie, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

If the Examiner has any questions with respect to this communication, he is kindly urged to call the undersigned.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 60680-1814 from which the undersigned is authorized to draw.

Dated: March 4, 2005

Respectfully submitted,

By 
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FROM:	RADER, FISHMAN & GRAUER PLLC Michael B. Stewart
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Attorney Dkt. #:	60680-1814
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PTO/SB/87 (08-04)

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Application No. (if known): 10/707,675

Attorney Docket No.: 60680-1814

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Response to Restriction Requirement (2 pages)